

REMARKS

Claims 2-8, 15 and 16 are presented for consideration, with Claims 15 and 16 being independent.

Editorial changes have been made to the specification. In addition, the abstract has been replaced to better set forth technical features of the claimed invention.

In the claims, Claim 1 has been cancelled and replaced with Claim 16.

Editorial changes have been made to selected claims. Claims 9-14 have been cancelled.

Initially, page 2 of the Office Action indicates that a certified copy of Japanese Priority Document 2003-115959 has not been filed. As understood by Applicants, however, the certified copy should have been provided by the International Bureau. Applicants will attempt to confirm that the International Bureau provided a certified copy of the '959 document, as well as Japanese Priority Document 2004-121777.

Claim 4 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for the reasons discussed on page 2 of the Office Action. It is submitted that the amendments to Claim 4 as shown above overcome this rejection.

Claim 1 was objected to because of a minor informality. This objection is deemed to be moot in view of the cancellation of Claim 1.

Claims 1-14 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Uno '333. This rejection is technically deemed to be moot in view of the

cancellation of Claim 1. It is submitted, however, that Claim 16 is patentable over Uno for the reasons discussed below.

In Claim 16, a reflective display apparatus that creates a display by moving particles includes a front substrate and a back substrate, a plurality of colored charged particles sandwiched between the front substrate and the back substrate, and a reflective first electrode and second electrode placed on the back substrate. In addition, a support member is provided to keep a distance between the front substrate and the back substrate. As claimed, a first portion of an area of the first electrode which borders on the second electrode is covered by a colored layer, which color is the same as the color of the charged particles.

Support for Claim 16 can be found, for example, in Figures 1-3 and the accompanying specification on page 8, line 1, *et. seq.* In accordance with Applicants' claimed invention, a high performance reflective display apparatus can be provided.

The Uno publication relates to a display device that includes front and back substrates, spacers and an insulating liquid and a plurality of charged particles disposed therebetween. As shown in Figure 11, one colored layer 8a covers a first electrode 56 and another colored layer 8b covers a second electrode 57. In Figure 12, the second electrode 57 is set transparent and layer 8b is a reflecting layer.

In contrast to Applicants' claimed invention, however, Uno does not teach or suggest, among other features, providing a first portion of an area of the first electrode which

borders on the second electrode to be covered by a colored layer, which color is the same as the color of the charged particles.

Claim 15 is rejected under 35 U.S.C. §103 as allegedly being obvious over Uno in view of Applicants' admitted prior art (AAPA). This rejection is respectfully traversed.

Claim 15 of Applicants' invention relates to an electrophoresis display apparatus comprising a first substrate and a second substrate arranged with a predetermined gap in between, an insulating liquid and a plurality of charged particles enclosed in the gap between the substrates, and a first electrode placed along the first substrate over a relatively wide area of a pixel. In addition, a second electrode having a voltage applied therebetween and the first electrode is provided, with the electrophoresis display apparatus carrying out a display by applying a voltage to these electrodes and moving the charged particles. As claimed, the charged particles are colored in a first color, and at least a first portion of the first area where the first electrode is placed in which the density of the charged particles cannot be kept high is colored in substantially the same color as the first color, and at least a second portion of the first area where the first electrode is placed in which the density of the charged particles can be kept high is colored in a second color area. In addition, when the charged particles are placed so as to cover the first electrode, the first color is visually recognized, and when the charged particles are attracted to the second electrode and accumulated, the second color is visually recognized.

As best understood, the Office Action takes the position that Applicants' admitted prior art discloses a display apparatus wherein at least a portion of an area where the first electrode is placed in which the density of the charged particles cannot be kept high is colored in substantially the same color as the first color. It is respectfully submitted, however, that the Background Art section of Applicants' specification discloses, in discussing a conventional display, that display quality deteriorates when the density of the charged particles is reduced in areas adjacent to the second electrode and the color of the base is reflected and made visible. With this arrangement, an area of the first electrode has a second color different than the first color.

Accordingly, it is submitted that the proposed modification of Uno's display device in view of Applicants' admitted prior art, even if proper, still fails to teach or suggest Applicants' invention as set forth in Claim 15. Accordingly, reconsideration and withdrawal of the rejection of Claim 15 under 35 U.S.C. §103 is respectfully requested.

Therefore, it is submitted that Applicants' invention as set forth in independent Claims 15 and 16 is patentable over the cited art. In addition, dependent Claims 2-8 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicants
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

SDMvnam

FCHS_WS 1723801vt